

**U.S. District Court
Northern District of Alabama (Southern)
CIVIL DOCKET FOR CASE #: 2:18-cv-00064-KOB**

Bascomb et al v. Express Courier International Inc et al
Assigned to: Chief Judge Karon O Bowdre
Cause: 29:201 Fair Labor Standards Act

Date Filed: 01/12/2018
Date Terminated: 01/23/2020
Jury Demand: Plaintiff
Nature of Suit: 710 Labor: Fair Standards
Jurisdiction: Federal Question

Plaintiff

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represented by **Daniel P Evans**
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Date Filed	#	Docket Text
01/12/2018	<u>1</u>	COMPLAINT against EMP LSO Holding Corporation and Express Courier International Inc, filed by Willie Bray, Shanica Bradley, Andrew Ayers, George Cahill, Jerome Belser, Hussam Alholwany, Sandra Beall, Jessie Bascomb, Mary Beville, Leroy Baines, Jonathan Bonner, Michelle Cash, David Binkley, Kimberly Blue, Reginald Brown, Fredrick Clarke, Barry Askins, Jerry Byrd, Roberto Arnold, Sandra Brown, Tasha Burrell, Joe Batie, John Butler, Alfonzo Bryant, Christopher Brown, Brazzie Brown, Jr, Kenneth Bell, Angela Boyd, Robbie Adams, et al.(SAC) (Entered: 01/12/2018)
01/12/2018	<u>2</u>	Request for service by certified mail, filed by all plaintiffs. (SAC) (Entered: 01/12/2018)
01/18/2018	<u>1</u>	Filing Fee: Filing fee \$ 400, ALND receipt#: B4601086099/ receipt_number 1126-3007566. related document <u>1</u> COMPLAINT against EMP LSO Holding Corporation and Express Courier International Inc, filed by Willie Bray, Shanica Bradley, Andrew Ayers, George Cahill, Jerome Belser, Hussam Alholwany, Sandra Beall, Jessie Bascomb, Mary Beville, Leroy Baines, Jonathan Bonner, Michelle Cash, David Binkley, Kimberly Blue, Reginald Brown, Fredrick Clarke, Barry Askins, Jerry Byrd, Roberto Arnold, Sandra Brown, Tasha Burrell, Joe Batie, John Butler, Alfonzo Bryant, Christopher Brown, Brazzie Brown, Jr, Kenneth Bell, Angela Boyd, Robbie Adams, et al.(SAC). (Evans, Daniel) Modified on 1/22/2018 (SAC). (Entered: 01/18/2018)
01/18/2018	<u>3</u>	Summons Issued as to EMP LSO Holding Corporation and Express Courier International Inc.; given to plaintiff at intake. (SAC) (Entered: 01/22/2018)
02/06/2018	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice by Robbie Adams, Hussam Alholwany, Roberto Arnold, Barry Askins, Andrew Ayers, Leroy Baines, Jessie Bascomb, Joe Batie, Sandra Beall, Kenneth Bell, Jerome Belser, Mary Beville, David Binkley, Kimberly Blue, Jonathan Bonner, Angela Boyd, Shanica Bradley, Willie Bray, Brazzie Brown, Jr, Christopher Brown, Reginald Brown, Sandra Brown, Alfonzo Bryant, Tasha Burrell, John Butler, Jerry Byrd, George Cahill, Michelle Cash, Fredrick Clarke. (Evans, Daniel) (Entered: 02/06/2018)

02/06/2018	<u>I</u>	PHV Fee paid: \$ 50, ALND receipt#: B4601086561/ receipt number 1126-3022215. (Evans, Daniel) Modified on 2/7/2018 (SAC). (Entered: 02/06/2018)
02/13/2018	<u>I 5</u>	TEXT ORDER granting <u>4</u> Motion to Admit Joshua West Pro Hac Vice. The court advises counsel that it may require at least one attorney for each party to be physically present at every hearing and status conference. Signed by Chief Judge Karon O Bowdre on 2/13/18. (MMW) (Entered: 02/13/2018)
02/14/2018	<u>I 6</u>	NOTICE of Appearance by R Brett Adair on behalf of Express Courier International Inc (Adair, R) (Entered: 02/14/2018)
04/11/2018	<u>I 7</u>	AMENDED COMPLAINT <i>FIRST AMENDED AND SUBSTITUTED COMPLAINT</i> against All Defendants, filed by Shanica Bradley, Jerome Belser, Hussam Alholwany, Sandra Beall, Jessie Bascomb, Jamil Pride, Michelle Cash, David Binkley, Kimberly Blue, Fredrick Clarke, Jerryl Todd, John Butler, Angela Boyd, Joseph Walker, Willie Bray, Andrew Ayers, George Cahill, Leroy Baines, Mary Beville, Jonathan Bonner, Reginald Brown, Barry Askins, Shaun Younger, Roberto Arnold, Jerry Byrd, Tony Smith, Sandra Brown, Joe Batie, Tasha Burrell, Christopher Brown, Alfonzo Bryant, Kenneth Bell, Brazzie Brown, Jr, Robbie Adams.(Evans, Daniel) (Entered: 04/11/2018)
04/12/2018	<u>I 8</u>	WAIVER OF SERVICE Returned Executed by Shanica Bradley, Jerome Belser, Hussam Alholwany, Sandra Beall, Jessie Bascomb, Jamil Pride, Michelle Cash, David Binkley, Kimberly Blue, Fredrick Clarke, Jerryl Todd, John Butler, Angela Boyd, Joseph Walker, Willie Bray, Andrew Ayers, George Cahill, Leroy Baines, Mary Beville, Jonathan Bonner, Reginald Brown, Barry Askins, Shaun Younger, Roberto Arnold, Jerry Byrd, Tony Smith, Sandra Brown, Joe Batie, Tasha Burrell, Christopher Brown, Alfonzo Bryant, Kenneth Bell, Brazzie Brown, Jr, Robbie Adams. EMP LSO Holding Corporation waiver sent on 4/12/2018, answer due 6/11/2018. (Evans, Daniel) (Entered: 04/12/2018)
04/12/2018	<u>I 9</u>	WAIVER OF SERVICE Returned Executed by Shanica Bradley, Jerome Belser, Hussam Alholwany, Sandra Beall, Jessie Bascomb, Jamil Pride, Michelle Cash, David Binkley, Kimberly Blue, Fredrick Clarke, Jerryl Todd, John Butler, Angela Boyd, Joseph Walker, Willie Bray, Andrew Ayers, George Cahill, Leroy Baines, Mary Beville, Jonathan Bonner, Reginald Brown, Barry Askins, Shaun Younger, Roberto Arnold, Jerry Byrd, Tony Smith, Sandra Brown, Joe Batie, Tasha Burrell, Christopher Brown, Alfonzo Bryant, Kenneth Bell, Brazzie Brown, Jr, Robbie Adams. Express Courier International Inc waiver sent on 4/12/2018, answer due 6/11/2018. (Evans, Daniel) (Entered: 04/12/2018)
04/18/2018	<u>I 10</u>	MOTION for Leave to Appear Pro Hac Vice <i>Emily A. Quillen</i> by Express Courier International Inc. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B)(Adair, R) (Entered: 04/18/2018)
04/18/2018	<u>I 11</u>	MOTION for Leave to Appear Pro Hac Vice <i>Charles Andrewsavage</i> by Express Courier International Inc. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B)(Adair, R) (Entered: 04/18/2018)
04/18/2018	<u>I 12</u>	MOTION for Leave to Appear Pro Hac Vice <i>Andrew Joseph Butcher</i> by Express Courier International Inc. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B)(Adair, R) (Entered: 04/18/2018)
04/18/2018	<u>I 13</u>	MOTION for Leave to Appear Pro Hac Vice <i>Adam C. Smedstad</i> by Express Courier International Inc. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B)(Adair, R) (Entered: 04/18/2018)
04/23/2018	<u>I</u>	PHV Fee paid for attorneys: 1) Quillen, 2) Scavage, 3) Butcher, and 4) Smedstad; \$200.00, ALND receipt number B4601088437. (SAC) (Entered: 04/24/2018)
04/25/2018	<u>I 14</u>	ORDER granting Motions to Admit Emily A. Quillen (doc. 10), Charles Andrewsavage (doc. 11), Andrew Joseph Butcher (doc. 12), and Adam C. Smedstad (doc. 13) Pro Hac Vice. The court

advises counsel that it may require at least one attorney for each party to be physically present at every hearing and status conference. Signed by Chief Judge Karon O Bowdre on 4/25/18. (MMW) (Entered: 04/25/2018)

06/05/2018	<u>15</u>	Corporate Disclosure Statement by EMP LSO Holding Corporation, Express Courier International Inc. filed by EMP LSO Holding Corporation, Express Courier International Inc (Adair, R) (Entered: 06/05/2018)
06/05/2018	<u>16</u>	Corporate Disclosure Statement by EMP LSO Holding Corporation, Express Courier International Inc. filed by EMP LSO Holding Corporation, Express Courier International Inc (Adair, R) (Entered: 06/05/2018)
06/05/2018	<u>17</u>	MOTION to Dismiss by EMP LSO Holding Corporation, Express Courier International Inc. (Adair, R) (Entered: 06/05/2018)
06/05/2018	<u>18</u>	Brief in Support of Defendant's Motion to Dismiss for Failure to State a Claim. (Attachments: # <u>1</u> Exhibit A)(Adair, R) Modified on 6/5/2018 (JLC). (Entered: 06/05/2018)
06/06/2018	<u>19</u>	ORDER SETTING BRIEFING SCHEDULE re <u>17</u> Defendants' Motion to Dismiss for Failure to State a Claim and <u>18</u> supporting brief– The Plaintiffs' response to the motion to dismiss will be due on or before June 27, 2018. Any reply brief, if necessary, will be due on or before July 10, 2018. Signed by Chief Judge Karon O Bowdre on 6/6/18. (SAC) (Entered: 06/06/2018)
06/18/2018	<u>20</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>17</u> MOTION to Dismiss by Robbie Adams, Hussam Alholwany, Roberto Arnold, Barry Askins, Andrew Ayers, Leroy Baines, Jessie Bascomb, Joe Batie, Sandra Beall, Kenneth Bell, Jerome Belser, Mary Beville, David Binkley, Kimberly Blue, Jonathan Bonner, Angela Boyd, Shanica Bradley, Willie Bray, Brazzie Brown, Jr, Christopher Brown, Reginald Brown, Sandra Brown, Alfonzo Bryant, Tasha Burrell, John Butler, Jerry Byrd, George Cahill, Michelle Cash, Fredrick Clarke, Jamil Pride, Tony Smith, Jerryl Todd, Joseph Walker, Shaun Younger. (West, Joshua) (Entered: 06/18/2018)
06/19/2018	<u>21</u>	TEXT ORDER: Plaintiffs' "Unopposed Motion For Extension Of Time To Respond To Defendants' Motion To Dismiss" (Doc. 20) is GRANTED. Plaintiffs' response is due on or before July 18, 2018. Defendants' reply, if necessary, is due on or before August 1, 2018. Signed by Chief Judge Karon O Bowdre on 6/19/2018. (JWD) (Entered: 06/19/2018)
07/16/2018	<u>22</u>	RESPONSE to Motion re <u>17</u> MOTION to Dismiss filed by Robbie Adams, Hussam Alholwany, Roberto Arnold, Barry Askins, Andrew Ayers, Leroy Baines, Jessie Bascomb, Joe Batie, Sandra Beall, Kenneth Bell, Jerome Belser, Mary Beville, David Binkley, Kimberly Blue, Jonathan Bonner, Angela Boyd, Shanica Bradley, Willie Bray, Brazzie Brown, Jr, Christopher Brown, Reginald Brown, Sandra Brown, Alfonzo Bryant, Tasha Burrell, John Butler, Jerry Byrd, George Cahill, Michelle Cash, Fredrick Clarke, Jamil Pride, Tony Smith, Jerryl Todd, Joseph Walker, Shaun Younger. (Attachments: # <u>1</u> Exhibit 1: Op. and Order, Arroyo v. Express Courier Intl., Inc., No. 4:18-cv-10 (S.D. Tex. June 18, 2018), ECF No. 24)(West, Joshua) (Entered: 07/16/2018)
07/31/2018	<u>23</u>	REPLY to re <u>22</u> to Plaintiff's Response to Defendants' Motion to Dismiss filed by EMP LSO Holding Corporation, Express Courier International Inc. (Adair, R) (Entered: 07/31/2018)
08/02/2018	<u>24</u>	Evidentiary Material re: <u>23</u> REPLY (other) <i>Notice of Supplemnetal Authority</i> . (Attachments: # <u>1</u> Exhibit Exhibit A)(Adair, R) (Entered: 08/02/2018)
08/30/2018	<u>25</u>	MOTION for Leave to Appear Pro Hac Vice by Robbie Adams, Hussam Alholwany, Roberto Arnold, Barry Askins, Andrew Ayers, Leroy Baines, Jessie Bascomb, Joe Batie, Sandra Beall, Kenneth Bell, Jerome Belser, Mary Beville, David Binkley, Kimberly Blue, Jonathan Bonner, Angela Boyd, Shanica Bradley, Willie Bray, Brazzie Brown, Jr, Christopher Brown, Reginald Brown, Sandra Brown, Alfonzo Bryant, Tasha Burrell, John Butler, Jerry Byrd, George Cahill, Michelle Cash, Fredrick Clarke, Jamil Pride, Tony Smith, Jerryl Todd, Joseph Walker, Shaun

		Younger. (Attachments: # <u>1</u> Exhibit A – Court Admissions, # <u>2</u> Exhibit B – Certificate of Good Standing, # <u>3</u> Exhibit C – Certification of Josh Sanford)(Evans, Daniel) (Entered: 08/30/2018)
08/30/2018	<u>I</u>	PHV Fee paid for Josh Sanford in the amount of \$50.00, Credit Card receipt number 1126-3163503, NDAL receipt #B4601091639. (Evans, Daniel) Modified on 8/31/2018 (JLC). (Entered: 08/30/2018)
09/04/2018	<u>26</u>	TEX ORDER granting <u>25</u> Motion to Admit Josh Sanford Pro Hac Vice. The court advises counsel that it may require at least one attorney for each party to be physically present at every hearing and status conference. Signed by Chief Judge Karon O Bowdre on 9/4/18. (MMW) (Entered: 09/04/2018)
10/05/2018	<u>27</u>	MEMORANDUM OPINION. Signed by Chief Judge Karon O Bowdre on 10/5/2018. (JLC) (Entered: 10/05/2018)
10/05/2018	<u>28</u>	ORDER GRANTING <u>17</u> MOTION to Dismiss and the Court hereby DISMISSES WITHOUT PREJUDICE, Plaintiffs' <u>7</u> First Amended Complaint. The Court GRANTS Plaintiffs leave to file a Second Amended Complaint on or before November 5, 2018 in accordance with the <u>27</u> Memorandum Opinion entered contemporaneously herewith. Signed by Chief Judge Karon O Bowdre on 10/5/2018. (JLC) (Entered: 10/05/2018)
11/05/2018	<u>29</u>	AMENDED COMPLAINT against Express Courier International Inc, filed by Shanica Bradley, Jerome Belser, Hussam Alholwany, Sandra Beall, Jessie Bascomb, Jamil Pride, Michelle Cash, Kimberly Blue, Jerry Todd, John Butler, Angela Boyd, Joseph Walker, Willie Bray, Andrew Ayers, George Cahill, Leroy Baines, Jonathan Bonner, Reginald Brown, Barry Askins, Roberto Arnold, Jerry Byrd, Tony Smith, Shaun Younger, Sandra Brown, Joe Batie, Tasha Burrell, Christopher Brown, Alfonzo Bryant, Kenneth Bell, Brazzie Brown, Jr, Robbie Adams.(West, Joshua) (Entered: 11/05/2018)
11/19/2018	<u>30</u>	MOTION to Dismiss <i>Second Amended Complaint</i> by Express Courier International Inc. (Adair, R) (Entered: 11/19/2018)
11/19/2018	<u>31</u>	Brief re <u>30</u> MOTION to Dismiss <i>Second Amended Complaint</i> . (Adair, R) (Entered: 11/19/2018)
11/20/2018	<u>32</u>	ORDER SETTING BRIEFING SCHEDULE – This case comes before the court on Defendant Express Courier International's motion to dismiss the Plaintiffs' second amended complaint. (Doc. <u>30</u>). The Plaintiffs' response to the motion to dismiss will be due on or before December 13, 2018. Any reply brief, if necessary, will be due on or before January 4, 2019. Signed by Chief Judge Karon O Bowdre on 11/20/2018. (KEK) (Entered: 11/20/2018)
12/11/2018	<u>33</u>	Joint MOTION to Stay <i>to Permit the Parties to Participate in Mediation</i> by Robbie Adams, Hussam Alholwany, Roberto Arnold, Barry Askins, Andrew Ayers, Leroy Baines, Jessie Bascomb, Joe Batie, Sandra Beall, Kenneth Bell, Jerome Belser, Mary Beville, David Binkley, Kimberly Blue, Jonathan Bonner, Angela Boyd, Shanica Bradley, Willie Bray, Brazzie Brown, Jr, Christopher Brown, Reginald Brown, Sandra Brown, Alfonzo Bryant, Tasha Burrell, John Butler, Jerry Byrd, George Cahill, Michelle Cash, Fredrick Clarke, Jamil Pride, Tony Smith, Jerry Todd, Joseph Walker, Shaun Younger. (West, Joshua) (Entered: 12/11/2018)
12/11/2018	<u>34</u>	ORDER DIRECTING the Clerk to TERM Defendant's <u>30</u> MOTION to Dismiss Second Amended Complaint because the parties will seek resolution of this matter through Mediation. ORDER GRANTING <u>33</u> Joint MOTION to Stay and the Court STAYS the proceedings in this case until March 1, 2019. The Court ORDERS the parties to file a Joint Status Report on or before March 14, 2019, informing the Court of the outcome of the Mediation. Signed by Chief Judge Karon O Bowdre on 12/11/2018. (JLC) (Entered: 12/11/2018)
03/14/2019	<u>35</u>	STATUS REPORT (<i>JOINT</i>) re: <i>Settlement and Request to Hold Deadlines in Abeyance</i> by Robbie Adams, Hussam Alholwany, Roberto Arnold, Barry Askins, Andrew Ayers, Leroy Baines, Jessie

		Bascomb, Joe Batie, Sandra Beall, Kenneth Bell, Jerome Belser, Mary Beville, David Binkley, Kimberly Blue, Jonathan Bonner, Angela Boyd, Shanica Bradley, Willie Bray, Brazzie Brown, Jr, Christopher Brown, Reginald Brown, Sandra Brown, Alfonzo Bryant, Tasha Burrell, John Butler, Jerry Byrd, George Cahill, Michelle Cash, Fredrick Clarke, Jamil Pride, Tony Smith, Jerryl Todd, Joseph Walker, Shaun Younger. filed by Robbie Adams, Hussam Alholwany, Roberto Arnold, Barry Askins, Andrew Ayers, Leroy Baines, Jessie Bascomb, Joe Batie, Sandra Beall, Kenneth Bell, Jerome Belser, Mary Beville, David Binkley, Kimberly Blue, Jonathan Bonner, Angela Boyd, Shanica Bradley, Willie Bray, Brazzie Brown, Jr, Christopher Brown, Reginald Brown, Sandra Brown, Alfonzo Bryant, Tasha Burrell, John Butler, Jerry Byrd, George Cahill, Michelle Cash, Fredrick Clarke, Jamil Pride, Tony Smith, Jerryl Todd, Joseph Walker, Shaun Younger (West, Joshua) (Entered: 03/14/2019)
03/15/2019	<u>36</u>	TEXT ORDER: The court further STAYS all deadlines in this case so the parties may work through executing their settlement agreement. The court ORDERS the parties to file a joint status report on May 14, 2019, and every 60 days thereafter, informing the court of the status of the settlement. Signed by Chief Judge Karon O Bowdre on 03/15/2019. (MCP) (Entered: 03/15/2019)
05/14/2019	<u>37</u>	STATUS REPORT (<i>Joint</i>) by Robbie Adams, Hussam Alholwany, Roberto Arnold, Barry Askins, Andrew Ayers, Leroy Baines, Jessie Bascomb, Joe Batie, Sandra Beall, Kenneth Bell, Jerome Belser, Mary Beville, David Binkley, Kimberly Blue, Jonathan Bonner, Angela Boyd, Shanica Bradley, Willie Bray, Brazzie Brown, Jr, Christopher Brown, Reginald Brown, Sandra Brown, Alfonzo Bryant, Tasha Burrell, John Butler, Jerry Byrd, George Cahill, Michelle Cash, Fredrick Clarke, Jamil Pride, Tony Smith, Jerryl Todd, Joseph Walker, Shaun Younger. filed by Robbie Adams, Hussam Alholwany, Roberto Arnold, Barry Askins, Andrew Ayers, Leroy Baines, Jessie Bascomb, Joe Batie, Sandra Beall, Kenneth Bell, Jerome Belser, Mary Beville, David Binkley, Kimberly Blue, Jonathan Bonner, Angela Boyd, Shanica Bradley, Willie Bray, Brazzie Brown, Jr, Christopher Brown, Reginald Brown, Sandra Brown, Alfonzo Bryant, Tasha Burrell, John Butler, Jerry Byrd, George Cahill, Michelle Cash, Fredrick Clarke, Jamil Pride, Tony Smith, Jerryl Todd, Joseph Walker, Shaun Younger (West, Joshua) (Entered: 05/14/2019)
07/12/2019	<u>38</u>	STATUS REPORT by Robbie Adams, Hussam Alholwany, Roberto Arnold, Barry Askins, Andrew Ayers, Leroy Baines, Jessie Bascomb, Joe Batie, Sandra Beall, Kenneth Bell, Jerome Belser, Mary Beville, David Binkley, Kimberly Blue, Jonathan Bonner, Angela Boyd, Shanica Bradley, Willie Bray, Brazzie Brown, Jr, Christopher Brown, Reginald Brown, Sandra Brown, Alfonzo Bryant, Tasha Burrell, John Butler, Jerry Byrd, George Cahill, Michelle Cash, Fredrick Clarke, Jamil Pride, Tony Smith, Jerryl Todd, Joseph Walker, Shaun Younger. filed by Robbie Adams, Hussam Alholwany, Roberto Arnold, Barry Askins, Andrew Ayers, Leroy Baines, Jessie Bascomb, Joe Batie, Sandra Beall, Kenneth Bell, Jerome Belser, Mary Beville, David Binkley, Kimberly Blue, Jonathan Bonner, Angela Boyd, Shanica Bradley, Willie Bray, Brazzie Brown, Jr, Christopher Brown, Reginald Brown, Sandra Brown, Alfonzo Bryant, Tasha Burrell, John Butler, Jerry Byrd, George Cahill, Michelle Cash, Fredrick Clarke, Jamil Pride, Tony Smith, Jerryl Todd, Joseph Walker, Shaun Younger (West, Joshua) (Entered: 07/12/2019)
09/10/2019	<u>39</u>	STATUS REPORT (<i>Joint</i>) per Order at ECF No. 36 by Jessie Bascomb. filed by Jessie Bascomb (West, Joshua) (Entered: 09/10/2019)
01/16/2020	<u>40</u>	Joint MOTION to Change Venue to <i>United States District Court for the Southern District of Texas, Houston Division, to Finalize Settlement</i> by Jessie Bascomb. (Attachments: # <u>1</u> Text of Proposed Order Granting Motion to Transfer)(West, Joshua) (Entered: 01/16/2020)
01/23/2020	<u>41</u>	ORDER GRANTING <u>40</u> Joint MOTION to Change Venue to the United States District Court for the Southern District of Texas, Houston Division, to Finalize Settlement. ORDER transferring case to the Southern District of Texas; Original electronic record and certified copies of docket entries will be electronically mailed to the Clerk of Court 10 business days from this date. Signed by Judge Karon O Bowdre on 1/23/2019. (JLC) (Entered: 01/23/2020)